

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JIMMIE JONES,

Defendant.

No. 4:06CR242 (CAS)

GOVERNMENT'S MOTION TO DISMISS INDICTMENT

COMES NOW, the United States of America, by and through Catherine Hanaway, United States Attorney for the Eastern District of Missouri, and Allison H. Behrens, Assistant United States Attorney for said District, and for its Motion to Dismiss Indictment, states as follows:

1. On April 6, 2006, the United States Grand Jury returned a two-count indictment against Defendant Jimmie Jones for conduct arising on April 14, 2005, involving the distribution of a controlled substance and possession of a firearm.

2. Defendant Jones also faced charges in the Circuit Court of the City of St. Louis, Missouri, arising out of the same conduct, in Cause No. 051-1250A. On April 25, 2006, Defendant entered a plea of guilty to those state-level charges (possession of a controlled substance and unlawful use of a weapon) and was sentenced that same date.

4. As Defendant Jones has already been sentenced for the conduct set forth in the Indictment, the Government hereby moves to dismiss the indictment against Defendant Jones.

WHEREFORE, the U.S. Attorney's Office respectfully requests that this Court dismiss the Indictment in this case.

Respectfully submitted,

CATHERINE L. HANAWAY
United States Attorney

s/ Allison H. Behrens
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Certificate of Service

The undersigned counsel hereby certifies that a copy of the foregoing was served by way of this Court's electronic filing system this 16th day of May 2006, upon John P. Rogers, attorney for Defendant Jones.

s/ Allison H. Behrens
Allison H. Behrens, #2607